



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,929	12/03/2003	Chiyoko Matsumi	MTS-3580US	4475
52473	7590	12/31/2007	EXAMINER	
RATNERPRESTIA			PYO, MONICA M	
P.O. BOX 980			ART UNIT	
VALLEY FORGE, PA 19482			PAPER NUMBER	
			2161	
			MAIL DATE	
			DELIVERY MODE	
			12/31/2007	
			PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/725,929

Applicant(s)

MATSUMI ET AL.

Examiner

Monica M. Pyo

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 5-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This communication is responsive to the Amendment filed 10/12/2007.
2. Claims 1, 3 and 5-20 are currently pending in this application. Claims 1 and 9-14 are independent claims and claims 2, 4 and 21 are previously canceled. In the Amendment filed 10/12/2007, no claims are amended.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3 and 9-20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,282,362 issued to Murphy et al. (hereinafter Murphy).

Regarding claims 1 and 12-20, Murphy discloses a recording and reproducing system, comprising:

**A). a record medium for holding a plurality of data files**, as the IRD180 stores the digital object image data files (Murphy: col. 9, lns. 22-38);

**B). a recording apparatus including a parameter extractor for extracting parameter information** (i.e., the playback unit 104 down-loads the image data, position data  $L_i$ , time  $T_i$  associated with index number  $N$ ) **associated with each of the plurality of data files and recording the parameter information in the record medium as a parameter information**

**file, the parameter information file including a position indicator (i.e., position data  $L_i$ ) indicating a position of each of the plurality of data files in the record medium and a reproduction parameter for each of the plurality of data files., as the recording of the system position at the time of capture and recording of the object image for the playback unit (Murphy: col. 9, lns. 39-col. 10, lns. 12 & 45-54); and**

**C). a reproducing apparatus including a data reproducer for reproducing one of the plurality of data files (col. 10, lns. 45-54 - examples of visual image data or audio stream data) by using the corresponding position indicator (i.e., position data  $L_i$ ) and the corresponding reproduction parameter in the parameter information file, as the playback unit utilizing the position data  $L$ , the time  $T_i$  and the index number  $N$  (Murphy: col. 10, lns. 1-21).**

Regarding claim 3, Murphy discloses the recording and reproducing system wherein the parameter information that is associated with each of the plurality of data files is stored in a predetermined location, said parameter extractor obtains said parameter information from the predetermined location (Murphy: col. 9, lns. 22-37; col. 16, lns. 40-52).

Regarding claims 9-11, Murphy discloses a recording apparatus, comprising: **a parameter extractor for extracting parameter information (i.e., the playback unit 104 downloads the image data, position data  $L_i$ , time  $T_i$  associated with index number  $N$ ) associated with each of a plurality of data files (col. 10, lns. 45-54 - examples of visual image data or audio stream data) held in a record medium and recording the parameter information in the**

**record medium as a parameter information file, the parameter information file including a position indicator (i.e., position data Li) indicating a position of each of the plurality of data files in the record medium and a reproduction parameter for each of the plurality of data files, as the recording of the system position at the time of capture and recording of the object image for the playback unit (Murphy: col. 9, lns. 39-col. 10, lns. 12 & 45-54).**

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy as applied to claims 1, 3 and 9-20 above, in view of U.S. Patent No. 7,058,282 issued to Komatsu (hereinafter Komatsu).

Regarding claim 5, Murphy discloses the recording and reproducing system wherein each of the plurality of data files is given a unique data file ID and the data files are stored in the record medium, the position indicator indicating a starting position of the data files in the record medium (Murphy: col. 10, lns. 1-12 & 22-54).

Murphy does not explicitly disclose it's system recording each of the plurality of files with a unique data file ID corresponding to a sequential order.

Komatsu also discloses the system recording each of the plurality of files with a unique data file ID (i.e., track number or recording number) corresponding to a sequential order in which the data files are stored in the record medium (i.e., recording numbers indicating the sequence of image on the video tape) (Komatsu:col. 8, lns. 3-36).

It would have been obvious to obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Murphy with the teachings of Komatsu to utilize the sequential ordering method to enhance the recording and reproducing system (Komatsu: col. 1, lns. 36-col. 2, lns. 21).

Regarding claim 6, Murphy and Komatsu disclose the recording and reproducing system wherein said position indicator and said reproduction parameter for each of the plurality of data files are provided in the parameter information file by using said respective unique data file Ids (Murphy: col. 10, lns. 1-12 & 22-54) and (Komatsu: col. 8, lns. 40-58 - in view of fig. 8, the track number and the recording number is used as information of the recording start point of the video tape and in a list as index-related image).

7. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy as applied to claims 1, 3 and 9-20 above, in view of U.S. Patent Application Publication No. 20030012549 by Ohnuma (hereinafter Ohnuma).

Regarding claim 7, Murphy discloses the recording and reproducing system wherein said parameter information file stores the position indicator and the reproduction parameter (Murphy: col. 9, lns. 22-38 and 45-67).

Murphy does not explicitly disclose it's system of a parameter information file stores the position indicator and reproduction parameter by using a classification according to a type of data.

However, Ohnuma discloses the type of information (i.e., advertisement information, news, etc) being recorded in the broadcast reception recorder with it's description label of (i.e., label as 'CM') (Ohnuma: pg 5, [0076-0078], [0081-0085]; fig. 5).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Murphy with the teachings of Ohnuma to utilize the file type of information with the motivation to enhance utilizing a specific content of the recorded information (Ohnuma: [0033]).

Regarding claim 8, Murphy discloses the recording and reproducing system wherein said parameter extractor extracts it's information associated with each of the plurality of data files and records the information in the record medium as an information file (Murphy: col. 9, lns. 22-38 and 45-67; col. 10, lns. 22-54).

Murphy does not explicitly disclose the information being a meta-data information,

However, Ohnuma discloses the system including the reproduction range in the meta-data generated by the user of the broadcast reception recorder (Ohnuma: pg. 3, [0048-0049]; pg. 5, [0090]).



It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Murphy with the teachings of Ohnuma to utilize the meta-data information with the motivation to enhance utilizing a specific content of the meta-data information (Ohnuma: [0033]).

***Response to Arguments***

8. Applicant's arguments, see page 2, filed 10/12/2007, with respect to the **U.S. Patent Application Publication No. 2004/0052502 by Komatsu et al. in view of MPEP 1857.01 [R-2] Prior Art Effect of the International Publication** have been fully considered and are persuasive. The prior rejection made under 35 U.S.C. 103 is withdrawn.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon & Thur 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



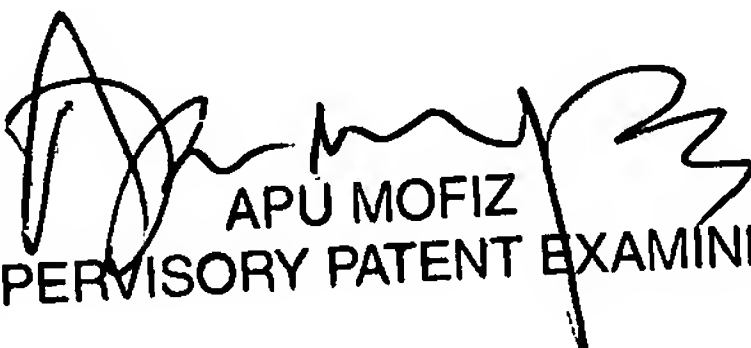
Application/Control Number:  
10/725,929  
Art Unit: 2161

Page 8

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo  
Examiner  
Art Unit 2161

mpyo  
12/21/07

  
APU MOFIZ  
SUPERVISORY PATENT EXAMINER